

FILE



HIGHLAND COUNTY
1975 ADMINISTRATION BUILDING
1975

Highland County Board of Commissioners

119 GOVERNOR FORAKER PLACE, SUITE 211
HILLSBORO, OHIO 45133-1161
Phone 937-393-1911 Fax 937-393-5850
www.co.highland.oh.us

TERRY BRITTON
DAVID DANIELS
BRAD ROADES



HIGHLAND COUNTY COURTHOUSE
1832-1854
OHIO'S OLDEST COURTHOUSE IN
CONTINUOUS USE

March 22, 2023

Liberty I Renewables
Yuri Otarov, Senior Project Manager
354 Davis Rd, Suite 100
Ontario, Canada L6J 2X1
Yuri.Otarov@algonquinpower.com

RE: Case ID - Case Name: 20-1288-EL-BGN - New Market Solar
Company Name: Hecate Energy Highland II, LLC
Case Status: Facility Online
Certificate Approved Date: March 18, 2021
Facility Online Date: March 30, 2022
Case Type: Solar Generation
Capacity, Acreage: 100.0 MW (24.0 MW currently operational), 1114 acres
County(s): Highland

Mr. Otarov,

According to the Compliance Inquiry Report filed with the Ohio Power Siting Board on October 18, 2022, the facility became operational, for 24 of the 100 MWs, on March 30, 2022. As a result, Highland County intends to invoice for the annual service payment in lieu of taxes ("PILOT"), including the additional annual service payment. A total of \$9,000 for each MW of nameplate capacity (100 MW) of the alternative energy facility is to be invoiced.

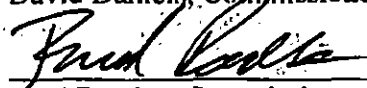
Therefore, enclosed with this letter you will find the 2022 PILOT payment invoice. The first of two annual installments is due April 20, 2023.

Feel reach to reach out with any questions or concerns.

Sincerely,


Terry Britton, Commissioner


David Daniels, Commissioner


Brad Roades, Commissioner

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.

Technician SUR Date Processed 3.24.23

cc: matthew.butler@puco.ohio.gov, steven.fearnow@development.ohio.gov,
wilkin@ohiosenate.gov, Rep91@ohiohouse.gov

RECEIVED-DOCKETING DIV
2023 MAR 24 AM 10:39
PUCO

Highland County Board of Commissioners

INVOICE

119 Governor Foraker Place
Hillsboro, Ohio 45133
937-393-1911
commissioners@co.highland.oh.us
www.co.highland.oh.us

INVOICE # 1
DATE 3/22/23

TO
Liberty I Renewables
Yuri Otarov, Senior Project Manager
354 Davis Rd, Suite 100
Ontario, Canada L6J 2X1
Yuri.Otarov@algonquinpower.com, 905-465-4531

FOR 2022 PILOT payment

- **1ST OF TWO ANNUAL INSTALLMENTS**
-

Description	Amount
Hecate Energy Highland 4 LLC – Case No. 20-1288-EL-BGN 100 MW nameplate capacity @ \$9,000/MW	900,000.00

HALF YEAR DUE:	450,000.00
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Make all checks payable to Highland County Treasurer

Payment is due April 20, 2023.

If you have any questions concerning this invoice, contact Highland County Board of Commissioners
| 937-393-1911 | commissioners@co.highland.oh.us

Resolution No. 19-337

The Highland County Board of Commissioners, Highland County, Ohio, met in Regular Session on December 31, 2019, with the following members present:

Jeff Duncan, Terry Britton, and Gary Abernathy

Mr. Britton moved the adoption of the following:

RESOLUTION

TO APPROVE A QUALIFIED ENERGY PROJECT APPLICATION FOR CERTIFICATION

WHEREAS, Ohio Revised Code Section 5727.75 allows a "qualified energy project" using renewable energy resources to be exempt from real and tangible personal property taxation if certain conditions are satisfied ("Qualified Energy Project"); and

WHEREAS, a Qualified Energy Project is defined as an energy project certified by the Director of the Development Services Agency of Ohio ("Ohio DSA"); and

WHEREAS, a Qualified Energy Project is certified by the Director of Ohio DSA in accordance with the provisions of Ohio Administrative Code Chapter 122:23-1; and

WHEREAS, Hecate Energy Highland 2, LLC (the "Company") desires to construct a new 35-megawatt solar-powered electric generation facility within approximately 350 acres located within Whiteoak Township, Highland County, Ohio (the "Project"); and

WHEREAS, the Company submitted a Qualified Energy Project Application for Certification to the Director of Ohio DSA on December 13, 2019, (the "Application for Certification"), copies of which are attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, pursuant to R.C. Section 5727.75(E)(1)(b), the Board of County Commissioners of Highland County, Ohio (the "Board") must adopt a resolution pursuant to R.C. Section 5727.75(E)(1)(b) approving or rejecting the Project's Application for Certification; and

WHEREAS, the Board may require an annual service payment to be made in addition to the service payment required under section 5727.75(G) of the Revised Code, provided the sum of the service payment required in the resolution and the service payment required under section 5727.75(G) of the Revised Code shall not exceed \$9,000 per megawatt of nameplate capacity located in the County and the resolution specifies the time and manner in which the payments required by the resolution shall be paid to the County's treasurer; and

WHEREAS, the approval of the Project's Application for Certification by the Board shall not constitute approval of an Alternative Energy Zone pursuant to R.C. Section 5727.75(E)(1)(c), shall not be binding upon the County for any potential future Qualified Energy

Projects, and shall not be construed as precedent for the County's potential adoption and/or denial of any PILOT tax abatement for any such potential future project;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, HIGHLAND COUNTY, OHIO:

Section 1. The Board hereby approves the Project's Application for Certification as submitted to the Ohio Development Services Agency on December 13, 2019, which shall exempt the Project, pursuant to section 5727.75 of the Revised Code, from otherwise applicable public utility personal property taxes and real property taxes.

Section 2. The approval of the Project's Application for Certification pursuant to this Resolution is expressly conditioned upon the payment by the Company, or successor owner of the Project, of an annual service payment in lieu of taxes ("PILOT") and an additional annual service payment as provided in section 5727.75(E) and (G) of the Revised Code, and as more specifically set forth as follows:

(A) The amount of the annual PILOT shall be \$7,000 per megawatt, as set forth in section 5727.75(G) of the Revised Code.

(B) The amount of the additional annual service payment shall be \$2,000 per megawatt.

(C) The Project that is exempted from taxation under this Resolution shall make the annual PILOT and additional annual service payments to the Highland County Treasurer. The payments shall be required and paid for each tax year for which an exemption is granted. The combined annual payments shall be equal to \$9,000 for each megawatt of nameplate capacity of the alternative energy facility. The County will invoice, and the Company will pay, the PILOT, including the additional annual service payment, in two annual installments, due in February and July of each year, by check sent via USPS certified mail, unless the Parties mutually agree to a different payment schedule and/or method of payment.

(D) The Highland County Treasurer shall deposit the annual PILOT into the appropriate fund of the County and shall make distribution of the funds derived from the PILOT to the taxing districts according to the millage in the respective taxing districts. The additional annual service payment shall be deposited into the general fund of the County in accordance with section 5727.75(E) of the Revised Code.

Section 3. This Resolution applies only to the Project, and the adoption of this Resolution shall not constitute approval of an Alternative Energy Zone pursuant to R.C. Section 5727.75 (E)(1)(c), is not binding upon the County for any potential future Qualified Energy Project, and shall not be construed as precedent for the County's potential adoption and/or denial of any PILOT tax abatement for any such potential future project.

Section 4. All formal actions relative to the passage of this Ordinance were taken in an open meeting of this Board, and all deliberations of the Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including R.C. Section 121.22.

Section 5. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Mr. Abernathy seconded the Resolution, and the roll being called upon its adoption, the vote resulted as follows:

Mr. Duncan, Yea; Mr. Britton, Yea; and Mr. Abernathy, Yea.

Adopted December 31, 2019

Mary Running
Clerk

Jeff Duncan
Tim Britton
[Signature]
Board of Commissioners
Highland County, Ohio

Approved as to form:

[Signature]
County Prosecutor

**Ohio Qualified Energy Project Tax Exemption
Program Application for Certification**

**Ohio Development
Services Agency**

Mike DeWine, Governor
Jon Husted, Lt. Governor

Linda L. Mills, Director

Instructions: This application is to be completed by an owner or lessee pursuant to a sale and leaseback transaction of an energy project which seeks to obtain certification as a Qualified Energy Project under Ohio Revised Code (ORC) section 5727.75 and Ohio Administrative Code sections 122:23-1-01 through 122:23-1-10. This application should only be submitted for energy projects (1) whose alternating current nameplate capacity exceeds 250 kilowatts, and (2) the electricity generated will be supplied to a third party or is subject to a net metering agreement.

A complete application (including all required attachments) will be considered received when delivered to the following address:

Ohio Development Services Agency
Office of Strategic Business Investments
Attn: John Workman, 28th Floor
77 S. High St.
Columbus, OH 43215

If you have any questions about this application, please contact John Workman,
Assistant Chief, Business Services Division:

RECEIVED

(4) 614-644-7000 | John.Workman@development.ohio.gov

PART I: Applicant Information

Type of Applicant: ☒ Owner ☐ Lessee

Ohio Development Services Agency
Office of Strategic Business Investments

Applicant Legal Name: Hecate Energy Highland 2, LLC

Applicant Address: 621 W Randolph St

Applicant City, State, Zip: Chicago, IL, 60661

Applicant FEIN: 81-5393207

Applicant State of Incorporation: Delaware

Ohio Secretary of State Registration Number: 201926803654

Applicant Contact Name: Patti Shorr

Applicant Contact Address: 531 S Drexel Ave, Unit 5

Applicant Contact City, State, Zip: Columbus, OH 43209

Applicant Contact Phone: 614-205-3798

Applicant Contact Email: PShorr@HecateEnergy.com

PART II: Project Information

Type of Energy Resource: (Check one)

☒ Renewable Energy - Solar ☐ Renewable Energy - Wind

Renewable Energy - Other (please describe)

Estimated Construction Start Date: April 2020

Estimated Construction Completion Date: Dec. 2020

Project Description:

The 35-megawatt solar-powered electric generation facility would be located within approximately 350 acres currently containing agricultural land about 3.2 miles northwest of Mowrystown, Ohio.

PART II Continued...

Alternating Current Nameplate Capacity of Facility in Megawatts (MW): 35

Project Address: Stringtown Rd Sardinia, OH 45171

Project Local Jurisdiction(s): Whiteoak Township, Bright Local School District

Project County(ies): Highland

List each fire department/emergency responder force serving any part of the project site:

Mt. Orab Fire Dept. (Brown Co), Eastern Joint Fire and EMS District

Include an attachment identifying all real property parcels projected to be affected by the project. Attachment A - See attached template

Include a list of all taxing units projected to be affected by the project, including mailing addresses. Attachment B - See attached template

Include a list of all licenses, permits and approvals required to be obtained. Attachment C - See attached template

PART III: Certification

I certify to the State of Ohio, through the Ohio Development Services Agency (ODSA), that I hold the position and title set forth below and that I am duly authorized by the Applicant to submit this application for certification of an energy project pursuant to Ohio Revised Code Section 5727.75.

I further certify to the State as follows:

1. The information provided by the Applicant in this application is true, correct, and complete. I understand that ODSA will rely on the information provided in this application to make a determination with respect to an award of economic development assistance, and I acknowledge that certain false statements made in this application or failure to provide requested information may cause the Applicant to be ineligible to receive the economic development assistance requested in the application or any future economic development assistance from the state.
2. No portion of the energy facility that is part of the energy project which is the subject of the application supplied electricity before December 31, 2009.
3. As of the date of this application, the Applicant has complied with all regulations applicable to the energy project which is the subject of the application, and the Applicant acknowledges its obligation to continue to comply with all applicable regulations.
4. As of the date of this application, the Applicant has complied with the provisions of Section 5727.75(F)(8) of the Revised Code regarding offers to sell power or renewable energy credits from the energy project.

I acknowledge that the application for certification must be complete and accompanied by all required supporting documentation to be considered by ODSA.

Name of Authorized Representative: Patti Shorr

Position/Title: VP Project Development

Signature: 

Date: December 10, 2019

Attachment A – Real Property Listing (attach additional sheets as necessary)

[illegible]

Attachment B - Taxing Unit Listing (attach additional sheets as necessary)

[illegible]



**Development
Services Agency**

Mike DeWine, Governor
Jon Husted, Lt. Governor

Lydia L. Mihailuk, Director

December 13, 2019

Highland County Board of Commissioners
119 Foraker Pl.
Hillsboro, OH 45133

RECEIVED
DEC 13 REC'D
HIGHLAND CO COMMISSIONERS
CLERK

Re: Qualified Energy Project Application -Hecate Energy Highland 2, LLC

Highland County Commissioners:

The attached application for certification of a qualified energy project was received from Hecate Energy Highland 2, LLC on December 13, 2019. The proposed project has a nameplate capacity in excess of twenty megawatts. Therefore, in accordance with section 5727.75(E)(1)(b) of the Ohio Revised Code, a copy of the application is being forwarded for your review. The Revised Code indicates that "any board that receives from the director a copy of an application submitted under this division shall adopt a resolution approving or rejecting the application unless it has adopted a resolution under division (E)(1)(c) of this section...The board shall send copies of the resolution by certified mail to the owner of the facility and the director within thirty days after receipt of the application; or a longer period of time if authorized by the director." Adopting a resolution approving the project will require Hecate Energy Highland 2, LLC to remit a payment in lieu of taxes to the county in exchange for an exemption from public utility personal property taxes and real property taxes. Alternatively, if the County has previously been designated as an alternative energy zone under section 5727.75(E)(1)(c) and the resolution has not been revoked, please provide a copy of the resolution designating Highland County as an alternative energy zone.

Ohio Administrative Code section 122:23-1-04 goes on to indicate that "the board shall be entitled to receive, and the director shall grant, one extension of thirty days. The board may request a further extension of time to consider a resolution approving or rejecting the application, but any further extension may be granted or denied in the director's discretion."

Please let me know if you have any questions or require an extension of the thirty-day response period. I can be reached at (614) 466 - 6791 or john.Werkman@development.ohio.gov.

Regards,

John Werkman
Chief, Business Services Division
Ohio Development Services Agency

77 South High Street
Columbus, Ohio 43215 U.S.A.

614 | 466 3378
800 | 848 1300
www.development.ohio.gov

The State of Ohio is an Equal Opportunity Employer and Provider of ADA Services